

(3)



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/837,491	04/18/2001	Ashit K. Ganguly	IN0931XX

CONFIRMATION NO. 7916

24265
SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT (K-6-1, 1990)
2000 GALLOPING HILL ROAD
KENILWORTH, NJ 07033-0530

FORMALITIES LETTER



OC000000006176010

Date Mailed: 06/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/02/2001 HROCHA1 00000055 190365 09837491

01 FC:105 130.00 CH



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/837,491	
	Filing Date	April 18, 2001	
	First Named Inventor	Ganguly, et al	
	Group Art Unit	1614	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	10	Attorney Docket Number	IN0931XK

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) Notice to File Missing Parts Return Post Card Executed Declaration
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	SCHERING-PLOUGH CORPORATION PATENT DEPARTMENT, K-6-1-1990 THOMAS D. HOFFMAN REG. NO. 28,221
Signature	<i>Thomas D Hoffman</i>
Date	June 26, 2001

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 26, 2001		
Typed or printed name	THOMAS D. HOFFMAN	6/26/2001
Signature	<i>Thomas D Hoffman</i>	Date June 26, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Express Mail Label No.

Date

PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2001

JUN 28 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 130.00)

Complete if Known

Application Number	09/837,491
Filing Date	April 18, 2001
First Named Inventor	Ganguly, et al
Examiner Name	To Be Assigned
Group Art Unit	1614
Attorney Docket No.	IN0931XK

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

19-0365

Deposit
Account
Name

Schering-Plough Corporation

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims
over original patent110 18 210 9 ** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Code (\$)

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

\$130.00

127 50 227 25 Surcharge - late provisional filing fee or
cover sheet

139 130 139 130 Non-English specification

147 2,520 147 2,520 For filing a request for *ex parte* reexamination112 920* 112 920* Requesting publication of SIR prior to
Examiner action113 1,840* 113 1,840* Requesting publication of SIR after
Examiner action

115 110 215 55 Extension for reply within first month

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavowable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Petitions related to provisional applications

126 240 126 240 Submission of Information Disclosure Stmt

581 40 581 40 Recording each patent assignment per
property (times number of properties)146 710 246 355 Filing a submission after final rejection
(37 CFR § 1.129(a))149 710 249 355 For each additional invention to be
examined (37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination
of a design application

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)

THOMAS D. HOFFMAN

Registration No.
(Attorney/Agent)

28,221

Telephone

(908) 298-5037

Signature

Thomas D Hoffman

6/26/01

Date

June 26, 2001

CERTIFICATE OF MAILINGI hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 26, 2001

Typed or printed name

THOMAS D. HOFFMAN

Signature

Thomas D Hoffman

Date

June 26, 2001



3

PATENT CASE NO. IN0931XK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
In re: Application of A.K.Ganguly, et al :

: Group Art Unit: 1614

For Patent For: RIBAVIRIN -INTERFERON
ALFA COMBINATION THERAPY FOR
ERADICATING DETECTABLE HCV-RNA IN
PATIENTS HAVING CHRONIC HEPATITIS
C INFECTION

Examiner: To Be Assigned

Serial No. 09/837,491 :

Filed: 04/18/2001 :

-----X
Commissioner for Patents
United States Patent and Trademark Office
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

SCHERING-PLOUGH CORP
Patent Dept., K-6-1-1990
Kenilworth, NJ 07033

RESPONSE

Sir:

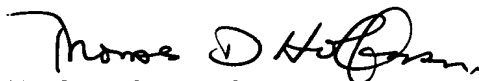
This is in response to the **NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION**, filed under 37 CFR §1.53(b), Filing Date Granted which was mailed 06/13/2001 and wherein it was stated that the oath or declaration was unsigned.

Applicants are enclosing herewith the following items:

- (1) A Declaration prepared and executed in compliance with CFR §§1.63 and 1.68,
- (2) Part 2 of **THE NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION**,
- (3) A Fee Transmittal Sheet, and
- (4) A Transmittal Form

If there are any questions regarding this RESPONSE, call the undersigned attorney of record.

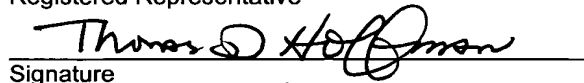
Respectfully submitted,
SCHERING-PLOUGH CORPORATION


THOMAS D. HOFFMAN
Attorney of Record for Applicants
Reg. No. 28, 221
Tel. No. (908) 298-5037
Fax No. (908) 298-5388

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

June 26, 2001
Date of Deposit

THOMAS D. HOFFMAN
Registered Representative


Signature

6/26/2001
Date of Signature